



U.S. Department of Justice

*United States Attorney
Western District of New York*

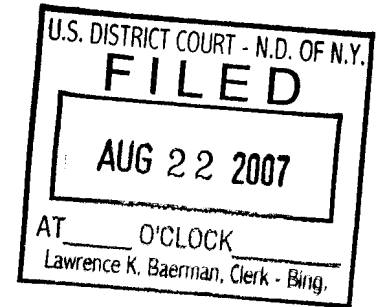
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August 16, 2007

Hon. Thomas J. McAvoy, Senior Judge
United States District Court
for the Northern District of New York
225 Federal Building, 15 Henry Street
Binghamton, New York 13902

RE: **United States v. Dennis J. Nelson**
05-CR-6169TJM & 06-CR-6241TJM



Dear Judge McAvoy:

I have enclosed with this letter a copy of a report from the United States Marshals Service in Boston, Massachusetts, concerning the above-referenced defendant. The text of the report speaks for itself, generally indicating that the defendant Nelson continues to re-offend by way of sending threatening letters to members of the federal judiciary.

Unfortunately, in this instance, the contents of the threatening letter caused great distress to Secretary Barbara Clark, affected an emergency response to the Federal Courthouse by the Boston Fire Department, and the evacuation of the Federal Courthouse.

I ask that the Court consider this event as well as prior instances where the defendant Nelson, since the entry of his guilty plea re-offends, for the purpose of determining the appropriate sentence in this case.

Sincerely,

TERRANCE P. FLYNN
United States Attorney

A handwritten signature in dark ink, appearing to read "Bradley E. Tyler".

By: BRADLEY E. TYLER
Assistant U.S. Attorney

BET/lap
cc: Robert G. Smith, Esq.
Kevin Lyons, USPO

United States Marshals Service
 LIMITED OFFICIAL USE
 Subject Report for NELSON,DENNIS J (FID 632589)



Case Number: 0738-0719-1643-T

Case Status: ACTIVE

Originating District: 038 - MA BOSTON (Warrants)

Lead Deputy: ABERNATHY,THOMAS

I.C. Information:

Receiving Person: 949153 - LASKER,MORRIS

USDCJ

I.C. Date: 07/18/2007

Received Date: 07/18/2007

Reported Date: 07/18/2007

Address Information:

Received At Office

Sent From Office

USDC - D/MA

GREAT MEADOW CORRECTIONAL FACI

ONE COURTHOUSE WAY BOX 51

BOSTON,MA 02210

COMSTOCK,NY 12821

Method of Delivery: Written

Residency: Incarcerated

Financial: Adequate Finances by Others

Employment: Unemployable

Weapons: Confirmed No Weapons

Weapons Persona: Fascination/identification

At Risk by Court Action: Employment Finances Residence

Neighbors: Assaultive or Intimidating

Mental Health: Court ordered treatment

Familiarity: No Evidence

Investigation By: USMS and FBI

Notified: FBI BOSTON DIV BOSTON 07/18/2007

Agent: JTTF MIKE FAHEY

ONE CENTER PLAZA

BOSTON,MA 02108

Incident Report:

On 07/18/2007, the USMS responded to a call from Judge Lasker's chambers. Secretary Barbara Clarke reported a letter was received containing white powder and a death threat to Judge Lasker. The letter also contained a bomb threat to Judge Lasker and his family.

JSI Abernathy responded to the call. Clarke had spilled the white powder all over her person and her work station. JSI Abernathy ordered the building management to shut down the air to the east wing. Boston Fire and FPS were also notified.

Boston Fire arrived and requested that the courthouse be evacuated. The Boston Fire Department Hazardous Material Team field tested the small amount powder found in the letter. The field test revealed the substance to be Cesium Hydroxide Monohydrate. The chemical is used as catalyst used in metal production. The chemical can be harmful if touched or ingested, but causes no harm in the air. According to the BFD, the chemical caused no harm to anyone in the courthouse.

At 1636 the all clear was given by the Boston Fire Department. Courthouse personnel were allowed back into the Moakley Courthouse. The JTTF transported the letter and powder to the state hazardous material lab. The Boston JTTF and the USMS have initiated a criminal investigation for threats and a hoax device.

Motive: Personal to source

Nature: Physical

Clearly Identified: Target and Source

Conditions: Immediate

Mosaic: Rating 7 IQ 140

File Number: 632589

Jurisdiction: Federal

Analysis:

NUMBER OF CASES: 111

CRITERIA: METHOD IS WRITTEN, MOTIVE IS IRRATIONAL, RESIDENCY IS INCARCERATED, TARGET IDENTIFIED IS TRUE, SOURCE IDENTIFIED IS TRUE, SUSPECT IS KNOWN

OUTCOMES WERE: FALSE 96.4% ENHANCED 2.7% VIOLENT 0.9% DATE: 07/20/2007

Remarks:

BASIS FOR ANALYSIS: DIRECT THREAT,REFERENCE TO DEATH,BIZARRE OR UNREASONABLE SOLICITATION.

STANDARD ANALYSIS COMPLETED: 07/20/2007, S/Y